

REMARKS

Claims 15, 21, 25, 40 and 49-50 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claims 15, 21, 25, 35 (re 40), and 49 to overcome the Examiner's 112 rejections.

Claims 1, 6, 7, 13-17, 21-37, 40-47, 49 and 52 stand rejected under 35 U.S.C. 103(a) as being obvious over Hatwar et al. (US 6,967,062). The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e).

Claims 1-49 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent No. 6,967,062. Although the conflicting claims are not identical, they are not patentably distinct from each other because while the present application does not claim an electron transporting layer doped with the naphthacene compound, all of the limitations are within the claims of '062.

Claims 1-48 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-44 of U.S. Patent No. 7,037,601. Although the conflicting claims are not identical, they are not patentably distinct from each other because the features of the "first light emitting layer" set forth in '601 appear to be the same as the present doped hole transporting layer.

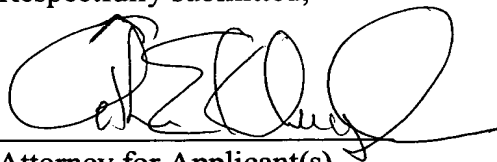
Claims 1-52 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-45 of U.S. Patent No. 6,875,524. Although the conflicting claims are not identical, they are not patentably distinct from each other because while '524 also includes a red dopant in the hole transporting layer in addition to the naphthacene yellow emitting compound, all of the required components are within the claims of '524.

The foregoing rejection under 35 USC 103 (through 102(e)) and three nonobviousness rejections are believed overcome by the enclosed Terminal Disclaimer and Statement of Common Ownership.

The elected species now being allowable, Applicants request rejoinder of the withdrawn claims.

The Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Kluegel', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Encl: Terminal Disclaimer and Statement of Common Ownership